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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,928	10/16/2001	Darren Duane Cofer	1100.1152101 (H0002064)	6322
128	7590	07/27/2005	EXAMINER	
HONEYWELL INTERNATIONAL INC.			KASSA, YOSEF	
101 COLUMBIA ROAD			ART UNIT	
P O BOX 2245			PAPER NUMBER	
MORRISTOWN, NJ 07962-2245			2625	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,928

Applicant(s)

COFER ET AL.

Examiner

YOSEF KASSA

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18, 19, 21, 22, 24-31 and 34-36 is/are rejected.
- 7) ☒ Claim(s) 17, 20, 23, 32, 33 and 37-41 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/11/02.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments, (page 2-6) filed on March 14, 2005, with respect to claims 1-41 under Nichani et al (U.S. patent 6,469,734) and Ito et al (U.S. Patent 6,088,468) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made on claims 1-41 on Diaz (U.S. Patent 5,992,094), and further in view of Conrad et al (U.S. Patent 5,465,115).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Diaz (U.S. Patent 5,992,094), and further in view of Conrad et al (U.S. Patent 5,465,115).

With regarding to claim 1, Diaz discloses monitoring at least a portion of the interior region of the area of interest for the object after the object breaches the border (see col. 18, lines 8-20, note that a person (area of interest) is in chamber, i.e., interior region, for detecting the object).

Diaz did not explicitly call of monitoring at least a portion of the border region of the area of interest for breach by an object. However, at the same field of endeavor, Conrad et al teach this feature (see col. 4, lines 33-39). At the time of invention was made it would have been obvious to an ordinary skill in the art to incorporate the teaching of Conrad et al image object monitoring process into Diaz's access control system. The suggestion/motivation doing so would have been to monitoring the people entering and exiting a traffic zone such as the entrance to the department store. Therefore, it would have been obvious to combine Conrad et al with Diaz to obtain the invention as specified in claim 1.

With regarding to claim 2, Diaz discloses ceasing monitor the interior region of the area or interest after the object leaves the area of interest (note that after the object passes through the camera, the camera continue monitoring the area see Fig. 1, item 230); and continuing to monitor at least a portion of the border region of the area of interest after the object leaves the area of interest (broadly reads on detecting the chamber area see Fig. 1, item 10).

With regarding to claim 3, Diaz discloses wherein the interior region of the area of interest is not monitored until the object no longer breaches the border region of the area of interest (see col. 5, lines 1-20).

With regarding to claim 4, Diaz discloses continuing to monitor at least a portion of the border region to the area of interest while the interior region is being monitored (see col. 6, lines 19-30).

With regarding to claim 5, Diaz discloses further comprising the step of providing a safety output when the border region is breached by the object (see col. 10, lines 48-55).

With regarding to claim 6, Diaz discloses wherein the safety output disables a piece of equipment located in the area of interest (see col. 10, lines 41-56).

With regarding to claim 7, Diaz discloses wherein the safety output sounds an alarm (see col. 18, lines 8-20).

With regarding to claim 8, Diaz discloses wherein the border region comprises a continuous region (see Fig. 1, item 8).

With regarding to claim 9, Diaz discloses wherein the border region comprises an interrupted region (see col. 4, lines 33-38).

With regarding to claim 10, Diaz discloses wherein the area of interest excludes a defined region from its interior (see col. 6, lines 10-14).

Claim 11 similarly analyzed and rejected the same as claims 1.

With regarding to claim 12, Diaz discloses wherein the one or more border region include a reference marking (see col. 2, lines 35-39, broadly reads on entrance of the store or the shopping mall).

Claims 13, 15 and 16 are similarly analyzed and rejected the same as claim 12.

With regarding to claim 14, Diaz discloses wherein the step of analyzing the one or more border regions of the captured image comprises the step of comparing the one or more border regions of the capture image to one or more corresponding regions of a reference image (see col. 17, lines 41-59).

With regarding to claim 18, Diaz discloses further comprising the step of storing the capture image when an object has entered the area of interest (see col. 4, lines 39-54).

Claim 19 similarly analyzed and rejected the same as claims 18.

With regarding to claim 21, Diaz discloses wherein the reference image is taken at a set time interval (see col. 10, lines 48-67).

Claim 22 is similarly analyzed and rejected the same as claim 14.

With regarding to claim 23, Diaz discloses wherein at least one comparison detects relatively immediate changes, and at least one comparison detects accumulated changes (see col. 4, lines 44-61).

Claims 24, 26 and 11 are similarly analyzed and rejected the same as claim 1.

With regarding to claim 25, Diaz discloses wherein the image capturing devices are video cameras (see col. 17, lines 65-67).

Claim 26 and 29 are similarly analyzed and rejected the same as claim 25.

Claims 27, 28, 30, 31 and 36 are similarly analyzed and rejected the same as claims 1-9.

With regarding to claim 34, Diaz discloses wherein the interior region is defined to include the border region (see Fig. 1, item 10).

With regarding to claim 35, Diaz discloses wherein the interior region is defined to exclude the border region (see Fig. 1, item 10).

Allowable Subject Matter

3. Claims 17, 20, 23, 32, 33 and 37-41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Other Prior Art Cited

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. (5541585) to Duhamel et al disclose security system for controlling building access.

US Patent No. (6720874) to Fufido et al disclose portal intrusion detection apparatus and method.

US Patent No. (5509082) to Toyama et al discloses vehicle movement measuring apparatus.

US Patent No. (5296852) to Rathi disclose method and apparatus for monitoring traffic flow.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOSEF KASSA whose telephone number is (703) 306-5918. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BHAVESH MEHTA can be reached on (703) 308-5246. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communication and (571) 273-8300 for after Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PATENT EXAMINER

Yosef Kassa



07/14/05.



**SANJIV SHAH
PRIMARY EXAMINER**